

REGULAR CITY COUNCIL MEETING  
JULY 13, 1998

PRESENT

R. Dale Roper  
Wesley Bloomfield  
Gayle Bunker  
Bruce Curtis  
Glen Swalberg

Mayor  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

Robert Dekker  
Richard Waddingham

Council Member  
City Attorney

ALSO PRESENT

Dorothy Jeffery  
Neil Forster  
Judy Baker  
Greg Schafer  
Don Smith  
Derin Phelps  
Kenneth Topham

City Recorder  
Public Works Director  
City Treasurer  
City Employee  
City Business Owner  
Millard County Chronicle/Progress  
Superintendent, Millard County School Dist.

Mayor Roper called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as Secretary. Mayor Roper stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Bruce Curtis offered an invocation, following which Mayor Roper led the Council in the Pledge of Allegiance.

MINUTES

The minutes of Public Hearing #1 held June 22, 1998 were presented for consideration and approval.

Council Member Wesley Bloomfield MOVED to approve the minutes of Public Hearing #1 held June 22, 1998, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The minutes of Public Hearing #2 held June 22, 1998 were presented for consideration and approval.

Council Member Wesley Bloomfield noted that the minutes should be corrected to show the Public Hearing was called to order at 6:45 p.m. rather than 7:00 p.m. Council Member Glen Swalberg MOVED to approve the minutes of Public Hearing #2 held on June 22, 1998, as corrected. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The minutes of a Regular City Council Meeting held June 22, 1998 were presented for consideration and approval.

Mayor Roper noted that Mr. Dennis Stefanoff's last name was spelled incorrectly on Pages 4 & 5 and Council Member Glen Swalberg noted that Glenna Moody's name should be corrected to "Glena" on Page 5. Council Member Bruce Curtis then MOVED to approve the minutes of the Regular City Council Meeting held June 22, 1998, as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed a copy of the accounts payable, which had been given to them two days prior to the meeting. Council Member Glen Swalberg MOVED to approve the accounts payable dated July 13, 1998 in the amount of \$117,135.33. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

Mayor Roper announced that, prior to beginning the New Business, he would like to publicly thank all those involved in the Fourth of July celebration, especially Council Member Swalberg for his work. Mayor Roper noted that he had received many positive comments regarding the new flag display in the City Park.

#### NEW BUSINESS

COUNCIL MEMBER GAYLE BUNKER/THOMAS E. CHANDLER: PROPOSED SINGLE LOT SUBDIVISION (CHANDLER ONE LOT SUBDIVISION) AT APPROXIMATELY 262 NORTH 350 EAST

Council Member Gayle Bunker explained the request for a single lot subdivision on 350 East, noting that Dr. Chandler plans to construct a new dental office on the property. The Planning & Zoning Commission has reviewed the request and is in favor of the subdivision and has recommended that the City Council set a public hearing for the proposed subdivision. Council Member Bunker explained that curb, gutter and sidewalk will not be required at this time, but signing an Improved Lot Agreement for future street improvements will be required.

Following discussion, Council Member Gayle Bunker MOVED to set a Public Hearing for the purpose of receiving public comment regarding the proposed Single Lot Subdivision (Chandler One Lot Subdivision), at approximately 262 North 350 East for Monday, August 10, 1998 at 6:45 p.m. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER/REX HARRIS: PROPOSED SILVER SAGE PHASE III SUBDIVISION

Council Member Gayle Bunker explained that the Planning & Zoning Commission reviewed this proposed subdivision at a meeting held October 8, 1997. The Planning & Zoning Commission is in favor of the subdivision and has recommended that the City Council set a date for a public hearing for the proposed subdivision.

Following discussion, Council Member Gayle Bunker MOVED to set a Public Hearing for the purpose of receiving public comment regarding the proposed Silver Sage Phase III Subdivision, at approximately 195 White Sage Avenue, for Monday, August 10, 1998 at 6:30 p.m. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

DON SMITH: PROPOSED USE OF OLD CITY DUMP FOR CIRCLE TRACK RACING

Don Smith explained to the Council that there is a contingent of residents who would like to construct a circle track for dirt track racing at the old city dump property behind the cemetery. They propose to put spectator seating on the hill, with the track at the bottom, for safety reasons. This will be a non-profit venture and the vehicles to be used will be the about the same as those used for a demolition derby, except roll over protection would be required. Races would be run each weekend. Mr. Smith advised the Council that any proceeds would be donated to the Youth Court, Fire Department, etc.

The group proposing the track racing has arranged for volunteer help such as Dale Hamaker and Howard Clayton to build the track and Jake Smith has volunteered to assist by building roads and

parking areas. Lynn Ashby offered the support of the Fire Department for the project and stated that there is a possibility of using the Fire Department insurance, as was used for the recently held Mud Bogs. All drivers would be required to sign waivers of liability. In addition, Mr. Smith has discussed the proposal with Public Works Director Neil Forster, who indicated that the proposed track would not interfere with any Public Works Department plans at that location.

Mayor Roper asked if there is sufficient room in the area to keep the entire facility on Delta City property. Mr. Smith believes that there is sufficient room for a quarter mile oval track, which would limit the speed and provide more safety. The pit areas would be up on the hill and the race track would be in the bottom. There would be a fence constructed to protect spectators from flying debris.

Mayor Roper asked if the group had an alternate plan in the event they cannot be covered under the Fire Department insurance. Mr. Smith answered that they do not have an alternate plan for insurance coverage at this time. Mayor Roper indicated his agreement with the concept but advised Mr. Smith that, if the facility extends over onto the property on the North side, it would require approval by the owners of that property. Mr. Smith advised the Council that the owner of the property on the North, Mr. Henrie, had already agreed to using the property for the dirt racing track, but the road to that property is extremely rough so the group determined that the Delta City property would be a better location and provide easier access.

Mr. Smith noted that Price is the only area in Utah which currently has dirt track racing and Salt Lake City has an asphalt track. It is the intent of the group Mr. Smith is working with to provide a small dirt track for those individuals who build demolition derby cars to add roll over protection and seat belts and have the opportunity to run the vehicle every weekend rather than put the time and expense into the vehicle and run it for only one event.

Mayor Roper requested that Mr. Smith provide a plot plan for review by the Council prior to making any decision on the proposal. Public Works Director Forster noted that Delta City needs to establish boundaries prior to further planning. Mayor Roper added that, in addition to the plot plan and establishing boundaries, Delta City needs to have the City Attorney review the proposal, and have a written description of the plans, including insurance coverage, entrance fees, schedules, etc.

Following discussion, Council Member Glen Swalberg MOVED to table discussion of this item until a plot plan and written description of the project are received. Council Member Wesley Bloomfield SECONDED the motion. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

KENNETH TOPHAM, SUPERINTENDENT, MILLARD COUNTY SCHOOL DISTRICT:  
REQUEST FOR WAIVER OF BUILDING PERMIT FEES

Dr. Kenneth Topham explained to the Council that the School District is currently attempting to obtain building permits for two projects. The first project is the relocation of the alternative school, which consists of two portable units to be located near the Delta Technical Center on 200 North.

The second project is an addition to the Middle School band room, which will be a room on the North side of the existing Delta Middle School, to provide additional room for instrumental music.

Mayor Roper noted that one of the purposes for building permit fees is to collect inspection fees, which are passed through to Millard County, which does the inspections for Delta City. Millard County Building Inspector Gary Church has agreed to bill any inspection fees directly to Millard County School District, resulting in no cost to Delta City for inspection fees.

Following discussion, Council Member Glen Swalberg MOVED to approve a waiver of building permit fees for the relocation of the alternative school and the addition to Delta Middle School, as requested by Millard County School District. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER/MITCHELL V. MYERS: PROPOSED SINGLE LOT SUBDIVISION (BARNEY'S SUBDIVISION) AT APPROXIMATELY 81 SOUTH WHITE SAGE AVENUE

Council Member Gayle Bunker noted that the Council held a public hearing, for the purpose of receiving public comment regarding the proposed single lot subdivision (Barney's Subdivision) at approximately 81 South White Sage Avenue, just prior to this meeting. There were no negative comments received at that public hearing.

Council Member Gayle Bunker MOVED to approve "Barney's Subdivision" at approximately 81 South White Sage Avenue, with the condition that a five foot (5') sidewalk be installed adjacent to the curb running along White Sage Avenue and also on the East side of the property running along Locust Avenue. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Absent
Glen Swalberg	Yes

MAYOR DALE ROPER: REPLACEMENT OF SIDEWALK ON 300 WEST FROM 200 NORTH TO 300 NORTH (PALOMAR BUILDING)

Mayor Roper advised the Council that he has been approached by one of the L.D.S. wards to replace the sidewalk on 300 West from 200 North to 300 North in conjunction with "Take Pride in Utah" day, which is to be held on Saturday, July 18, 1998. This project would cost approximately \$2,000. One-half of the cost (\$1,000) and all the labor required for removal and preparation will be

donated by the L.D.S. Church. The sidewalk would be a four foot (4') sidewalk, in order to match sidewalks currently in the area.

Public Works Director Forster added that the donated labor would be use to remove the broken sidewalk pieces and prepare the sub-base. D&J Bennett Construction will install and finish the new sidewalk.

Council Member Wesley Bloomfield MOVED to approve Delta City entering into an agreement for replacement of the sidewalk on 300 West from 200 North to 300 North with Delta City being responsible for paying \$1,000 toward the cost of the sidewalk replacement. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### OTHER BUSINESS

Council Member Glen Swalberg distributed copies of a letter which he proposed to have published in the Millard County Chronicle/Progress:

We give full support to the official "Take Pride in Utah" day, on July 18<sup>th</sup>. We appreciate the civic, church, and volunteer groups who have chosen special projects to cleanup within Delta City on this designated day. We would urge all citizens to participate with these groups or to organize your own neighborhood or family units and improve the unsightly yards in your own area. There has been a noticable decrease in yard improvement within our city this year.

Some property owners do not realize that they are responsible for the utility strips in front of or on the side of their property. Also the non-oiled dirt parking strips in front of their homes, are their responsibility to keep weed free. If local home owners, or non-resident property owners cannot make arrangements to do this maintenance, they should notify the City, and they will try to contact volunteer groups to help out or have young people who need to earn money do the job, for a low cost to the property owners.

We need all to keep our property clean and weed free. It is our civic duty and responsibility to do so, and the City does have lawful ordinances to enforce this obligation if necessary. Please try your best to cooperate.

Thank you,

Delta City Council

The Council discussed several changes in the letter, including removing the last sentence in the first paragraph, beginning with "There has been a noticable. . ."; removing the words "non-oiled dirt" in the second sentence of Paragraph 2; remove the word "lawful" prior to "ordinances" in the second sentence of Paragraph 3; and rewriting the last sentence in Paragraph 2 to read "If local home owners, or non-resident property owners cannot make arrangements to do this maintenance, they should notify the City, and we will try to contact volunteer or low cost youth groups for them."

After changes were made, it was determined that the letter to be published in the Millard County Chronicle/Progress would read as follows:

We give full support to the official "Take Pride in Utah" day, on July 18<sup>th</sup>. We appreciate the civic, church, and volunteer groups who have chosen special projects to cleanup within Delta City on this designated day. We would urge all citizens to participate with these groups or to organize your own neighborhood or family units and improve the unsightly yards in your own area.

Some property owners do not realize that they are responsible for the utility strips in front or on the side of their property. Also, parking strips in front of their homes are their responsibility to keep weed free. If local home owners, or non-resident property owners cannot make arrangements to do this maintenance, they should notify the City and we will try to contact volunteer or low cost youth groups for them.

We all need to keep our property clean and weed free. It is our civic duty and responsibility to do so, and the City does have ordinances to enforce this obligation, if necessary. Please try your best to cooperate.

Thank you,

Delta City Mayor & Council

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Council Member Wesley Bloomfield reported that he had been made aware of a problem with the Fire Department spraying some individuals during the Fourth of July parade. Mayor Roper advised the Council that he had been made aware of the fact that the Fire Department was shooting water into the air during the parade and it appears that, at some point, there was an accident where the hose got loose and some individuals were sprayed with water.

Council Member Bloomfield also reported that he had received some complaints about water balloons being thrown. Council Member Gayle Bunker noted that the Council had previously taken action to eliminate water balloons from the parade.

Mayor Roper informed the Council that the State of Utah is requiring that, for all future parades, we comply with some very strict regulations. He is hoping that we can negotiate with the State on

some of the regulations but it appears, at this time, that the new stricter regulations will have a definite affect on future parades. Mayor Roper indicated that he would like to distribute a copy of the regulations to Council Members for review prior to making decisions regarding any future parades.

Mayor Roper also addressed the parking problems which have occurred during the past two or three years where vehicles have been parked along the parade route 24 hours before parade time in order to reserve a particular parade viewing spot. This has caused numerous problems with businesses who had their Main Street access blocked for an entire business day prior to parade time.

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Mayor Roper advised the Council that he had attended a Mayor/County Commission meeting on July 2<sup>nd</sup> wherein Sheriff Phillips announced that they have created a non-profit organization which could provide a crew, consisting of eight inmates and one supervisor, who would be available to work for non-profit organizations, such as cities, cemetery districts, etc. Sheriff Phillips now has one full time crew working for the Bureau of Land Management and is asking for input to determine whether the cities and other non-profit organizations could provide sufficient work to keep another full time crew busy. There would be a charge of \$15.00 per hour for the crew, including the supervisor, and they would be available to do any type of labor. Sheriff Phillips would like to find sufficient work to keep the crew busy year round.

Council Members indicated interest in attempting to work with Sheriff Phillips in using a work crew for several projects in the City.

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Council Member Gayle Bunker advised the Council that there is a vacancy on the Planning & Zoning Commission inasmuch as Mike Rose has indicated that he has too many time conflicts to fulfill his commitment to the Planning & Zoning Commission. Mayor Roper suggested that Council Member Bunker contact those persons who indicated an interest in the City Council vacancy earlier in the year to see if they might be interested in serving on the Planning & Zoning Commission.

Mayor Roper asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.



Mayor Roper declared the meeting adjourned at 8:10 p.m.

  
R. DALE ROPER, Mayor  
DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 08-10-98